

AFFIDAVIT OF FACTS – RECENT EVENTS

The Common Law Citizen Brenda of the family name Held hereinafter “Affiant” hereby Certifies, by Rights Secured under provisions of the Organic Constitution, Constitution of the United States of America, the Constitution of the several states, Common Law, Nature and Laws of Natures GOD, that these Rights are retained in FEE SIMPLE ABSOLUTE, and held and protected with special regard to Rights designated and/or set forth as follows:

1. I, the Affiant Brenda, affirm, that Affiant served a motion to dismiss prior to initial CITY court hearing which is still undisputed.
2. I, the Affiant Brenda, affirm through the next several months, Affiant made several attempts to have CITY court adjudicate the motion.
3. I, the Affiant Brenda, affirm the motion is unopposed
4. I, the Affiant Brenda, affirm the motion is still unadjudicated.
5. I, the Affiant Brenda, affirm the Motion was received by CITY Court on or about March 17, 2022
6. I, the Affiant Brenda, affirm at the CITY initial hearing, Affiant stated
 - a. she is not an enemy to the United States.
 - b. she made a special appearance,
 - c. she is under duress and threats of arrest,
 - d. she is the beneficiary
 - e. appointed court as trustee.
 - f. repeatedly stated she did not understand why she was “here”
 - g. verbally challenged court jurisdiction
 - i. BURMAN stated, “the court has jurisdiction because you are here”.
 - ii. Brenda stated again she was at court under duress,
 - iii. Brenda stated once jurisdiction is challenged it must be proven
 - iv. Brenda stated that BURMAN’s response was not sufficient.
 1. After several reminders were sent to court, jurisdictional challenge is still unanswered.
 - h. stated multiple times she was being denied due process.
7. I, the Affiant Brenda, affirm BURMAN and HERRING continued to prosecute the case without proving jurisdiction

8. I, the Affiant Brenda, affirm BURMAN and HERRING continued to prosecute the case without granting correct due process under administrative hearing
9. I, the Affiant Brenda, affirm Affiant did not receive most of the discovery requested early in case
- 10.I, the Affiant Brenda, believes and does so believe Affiants ability to adequately prepare a defense was not possible without requested discovery
- 11.I, the Affiant Brenda, affirm BURMAN willfully violated MCA established court procedures on numerous occasions by scheduling the trial date when unopposed, open motions are on record not adjudged.
- 12.I, the Affiant Brenda, affirm in 2021 and early 2022, Brenda sent numerous documents to AG:
 - (A.) TWEA documentations,
 - (B.) Several Status Correction documents,
 - (C.) Several Right to Travel documents.
- 13.I, the Affiant Brenda, affirm no response was received
- 14.I, the Affiant Brenda, affirm no remedy was received
- 15.I, the Affiant Brenda, affirm Affiant has made several attempts through AG and DMV with notices of new private plates and requests to correct the record.
- 16.I, the Affiant Brenda, affirm no adequate response or remedy received
- 17.I, the Affiant Brenda, affirm Affiant contacted Department of Transportation legal department to inquire about Administrative Hearings.
- 18.I, the Affiant Brenda, affirm the legal department stated they do not do those types of hearings.
- 19.I, the Affiant Brenda, affirm no other responses to inquiries have been received.
- 20.I, the Affiant Brenda, affirm Affiant researched the internet and could not find documentation on how to reverse the current (lower) court case and address issues in administrative hearing.
- 21.I, the Affiant Brenda, affirm Affiant was unsuccessful.
- 22.I, the Affiant Brenda, affirm the resulting research showed the only entities that offer administrative hearings are the Department of Labor and Industry and Department of Public Health which Claimant does not believe pertains to this cause.

- 23.I, the Affiant Brenda, affirm After repeated written and verbal requests for discovery, HERRING provided some of the requested missing video discovery three days prior to a scheduled trial hearing.
- 24.I, the Affiant Brenda, requested continuance to review videos.
25. I, the Affiant Brenda, affirm HERRING did not provide remaining missing videos requested.
- 26.I, the Affiant Brenda, affirm HERRING and BURMAN forced Brenda to waive rights to speedy trial or show for trial unprepared.
- 27.I, the Affiant Brenda, affirm this is discovery originally requested in March and was not received until mid-September.
- 28.I, the Affiant Brenda, affirm Affiant has yet to receive other discovery and interrogatories requested earlier in the case.
- 29.I, the Affiant Brenda, affirm the lack of discovery is detrimental to Affiants defense.
- 30.I, the Affiant Brenda, affirm Affiant asked BURMAN and HERRING for clarification on the rules of court.
- 31.I, the Affiant Brenda, affirm at the initial hearing BURMAN provided documents stating rules of court will follow Montana Civil Rules of procedure.
- 32.I, the Affiant Brenda, affirm the bills of attainder state they are misdemeanors which is criminal.
- 33.I, the Affiant Brenda, believes and does so believe that the case cannot be both.
- 34.I, the Affiant Brenda, affirm Affiant received a response by BURMAN that she is unable to give legal advice and to see an attorney.
- 35.I, the Affiant Brenda, affirm Affiant received same response from HERRING.
- 36.I, the Affiant Brenda, affirm believes BURMAN AND HERRING gave her legal advice to contact an attorney.
- 37.I, the Affiant Brenda, wishes to remind this court that it the prosecutor's responsibility to ensure Affiant understand the nature and cause of the case.
- 38.I, the Affiant Brenda, affirm Brenda does not know how to prepare for trial if she does not have an answer to this very basic question.
- 39.I, the Affiant Brenda, believes and does so believe if Brenda must waive her rights to a speedy trial, per BURMAN and HERRING statements above, and

the constitution and statutes states waiver is for criminal cases then Affiant is confused on how CITY court, BURMAN and HERRING are prosecuting under Civil Procedures.

40.I, the Affiant Brenda, affirm Affiant does not know which procedures are proper to follow and therefore is unable to defend herself.

41.I, the Affiant Brenda, wishes to remind this court that there is no identified injured party,

42.I, the Affiant Brenda, wishes to remind this court that there is no identified damaged property

43.I, the Affiant Brenda, wishes to remind this court that there is no sworn complaint pertaining to any injury or damages.

44.I, the Affiant Brenda, wishes to remind this court that there is no corpus dilecti identified.

45.I, the Affiant Brenda, wishes to remind this court that Affiant is confused on how there is a case,

46.I, the Affiant Brenda, wishes to remind this court that Affiant does not know under what authority and what standing the Defendants have to bring a case

47.I, the Affiant Brenda, wishes to remind this court that it is not Affiants responsibility to prove jurisdiction,

48.I, the Affiant Brenda, wishes to remind this court that it is not Affiants burden to present evidence

49.I, the Affiant Brenda, wishes to remind this court that it is not Affiants burden to prosecute the case in lower court.

50.I, the Affiant Brenda, wishes to remind this court that Affiants is not schooled in law

51.I, the Affiant Brenda, wishes to remind this court that Affiants should not have to repeatedly remind BURMAN and HERRING to address jurisdiction,

52.I, the Affiant Brenda, wishes to remind this court that Affiants should not have to repeatedly remind BURMAN and HERRING to address open motions,

53.I, the Affiant Brenda, wishes to remind this court that Affiants should not have to repeatedly remind BURMAN and HERRING to address production of discovery requests.

54.I, the Affiant Brenda, wishes to remind this court that Bills of Attainder were forced upon her via CITY law enforcement,

- 55.I, the Affiant Brenda, wishes to remind this court that this is in a CITY court with a CITY judge and prosecuted by a CITY attorney.
- 56.I, the Affiant Brenda, wishes to remind this court that All participates are CITY employees.
- 57.I, the Affiant Brenda, believes and does so believe that this is not fair
- 58.I, the Affiant Brenda, believes and does so believe that this is not unbiased,
- 59.I, the Affiant Brenda, believes and does so believe that this is the definition of RICO
- 60.I, the Affiant Brenda, believes and does so believe that this a monopoly.
- 61.I, the Affiant Brenda, affirm Affiant is confused why Defendants are still prosecuting this case when initial unopposed motion is well taken by Defendants which means there is no controversy
- 62.I, the Affiant Brenda, believes and does so believe the case must be dismissed.
- 63.I, the Affiant Brenda, wishes to remind this court that as of the date of this Affidavit, no response to unopposed motions has been received
- 64.I, the Affiant Brenda, wishes to remind this court that as of the date of this Affidavit no remedy was provided.
- 65.I, the Affiant Brenda, affirm joinder to original RICO case was received by U.S. Department of Justice on or about September 23, 2022.
- 66.I, the Affiant Brenda, affirm joinder to original RICO case was received by Homeland Security on or about September 23, 2022.
- 67.I, the Affiant Brenda, affirm Motion to dismiss with complete joinder information was received by BURMAN on or about October 5, 2022.
- 68.I, the Affiant Brenda, affirm no response as of date of this Affidavit.
- 69.I, the Affiant Brenda, affirm Motion to dismiss with complete joinder information was received by HERRING on or about October 5, 2022.
- 70.I, the Affiant Brenda, affirm no response as of date of this Affidavit
- 71.I, the Affiant Brenda, affirm new trial date is set for Friday December 9, 2022, at 9 a.m. with open unopposed motions not adjudged which is a violation of MCA.
- 72.I, the Affiant Brenda, affirm GPD stated that all requested videos were sent to HERRING at HERRINGS request.

73.I, the Affiant Brenda, affirm GPD stated if Affiant did not get requested video that HERRING either did not request videos or HERRING did not send them to AFFIANT.

74.I, the Affiant Brenda, affirm Motion for Entry of Default Judgement with Prejudice was received by HERRING on or about November 28, 2022

75.I, the Affiant Brenda, affirm Motion for Entry of Default Judgement with Prejudice was received by BURMAN on or about November 28, 2022

76.I, the Affiant Brenda, believes and does so believe that no response will be received within 10 days of receipt.

77.I, the Affiant Brenda, filed a notice of removal to federal court on or about afternoon of December 8 2020.

78.I, the Affiant Brenda, filed a Redress of Grievances to federal court on or about afternoon of December 8 2020


Affiant further sayeth not.

If affidavit is not rebutted point by point within 10 DAYS of receipt by lawful evidence to the contrary, this affidavit is at law evidence in court. Failure to present evidence to the contrary of the Affiants testimony, will be evidence that all parties stipulate to the facts herein as true, correct and complete.

Notice, it is a Fact, that, the affiant states under penalty of perjury without the United States in accordance with 28 U.S. Code § 1746 that all statements of fact herein are truth in commerce.

I, Brenda-Lee: Held, affiant and consumer certify under penalty of perjury under the laws of The United States of America in the nature of [28 U.S.C. 1746 (1)], that I have read the foregoing request for information and know the contents thereof, and that the information listed above is true, correct and complete to the best of my knowledge.

Submitted, on this 8th day of December 2022.

At Arms Length
All Right Reserved
Affiant, 
Brenda Held, Living Soul
All Right Reserved Without Recourse